

Harrington Park  
ZONING BOARD OF ADJUSTMENT  
**REGULAR MEETING MINUTES**  
Wednesday, December 18, 2019 @ 8:00PM

**Chairman McLaughlin called the meeting to order at 8:00PM.**

**Open Public Meeting Act Announcement:** In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

**ROLL CALL**

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
(RM) Chairman Richard McLAUGHLIN	X	
(MR) Vice Chair Michael ROTH	X	
(JP) John POWERS	X (8:01PM)	X
(JC) Jin CHO		X
(SL) Steve LOTT	X	
(SM) Stephen MARTINEZ		X
(TC) Todd CANNAO		X
(RB) Robert BUDINICH (alternate a)	X	
(GZ) Gail ZACCARO (alternate b)	X	

Also present: (JS) John Schettino, Board Attorney  
(CL) Carolyn Lee, Land Use Secretary

**MINUTES FOR APPROVAL**

November 25, 2019 minutes

<b>Approval of November 25, 2019 minutes</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Jin CHO						X
Steve LOTT	X		X			
Stephen MARTINEZ						X
Todd CANNAO						X
Robert BUDINICH (alternate a)					X	
Gail ZACCARO (alternate b)		X	X			

**INVOICES FOR APPROVAL**

No invoices for approval.

**HEARINGS**

1. 44 Rugen Drive – 6ft fence

Mr. Bland was reminded that he was still under oath. RM summarized the application. Mr. Bland would like to replace the existing fence with a new 6ft fence. The members had a chance to look at the property. RB noted he was not present for the last meeting.

Harrington Park  
**ZONING BOARD OF ADJUSTMENT**  
**REGULAR MEETING MINUTES**  
Wednesday, December 18, 2019 @ 8:00PM

The meeting was open for questions from the Board.

SL asked what is the hardship for 5ft versus a 6ft fence. Mr. Bland said that he is a corner lot. The deck extends from the kitchen that sits up pretty high. When people pass by, they can see he and his wife sitting on the deck. He is looking for more privacy. The previous owners put in the existing fence. There are existing 6ft, 5ft and 4ft fences on his property and he would like a uniform height fence. 3 neighbors would benefit with a higher fence. The neighbors to the east and south would benefit. 42 Maryanne Lane would not see the woodpile. The fence is high quality that doesn't fade or mold. The driveway is 44ft long and 20ft 6in wide. The fence would start 15ft 4in from the curb on Maryanne Lane. It is where the existing fence is now. The fence from Rugen Drive would be 46ft setback from the road. Mr. Bland is looking to enhance the property. The existing wooden fence is falling apart. The property slopes from east to west.

There were no members from the public present.

<b>Approval of application for 44 Rugen Drive (6ft fence)</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH				X		
John POWERS			X			
Jin CHO						X
Steve LOTT		X	X			
Stephen MARTINEZ						X
Todd CANNAO						X
Robert BUDINICH (alternate a)					X	
Gail ZACCARO (alternate b)	X		X			

RM stated that the application is approved. Mr. Bland would have 9 months to start the work otherwise he would have to come back to extend the approval. Anyone who disagrees with the Board's decision can file suit within 45 days of the written resolution is published. The written resolution will be adopted in the January meeting and published soon after that. Mr. Bland thanked the Board.

**RESOLUTION**

1. 111 South Colonial Drive – in-ground pool, front and side yard setbacks

<b>Approval of resolution for 111 South Colonial Drive (in-ground pool side yard, front yard setback)</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			
John POWERS		X	X			
Jin CHO						X
Steve LOTT			X			
Stephen MARTINEZ						X

Harrington Park  
**ZONING BOARD OF ADJUSTMENT**  
**REGULAR MEETING MINUTES**  
Wednesday, December 18, 2019 @ 8:00PM

Todd CANNAO						X
Robert BUDINICH (alternate a)			X			
Gail ZACCARO (alternate b)			X			

**MEETING OPEN/CLOSED TO THE PUBLIC**

There were no members of the public at the meeting.

**OLD BUSINESS**

**NEW BUSINESS**

**1. 2020 Meeting dates: (4<sup>th</sup> Wednesday of each month at 7:00PM)**

January 22	May 27	September 23
February 26	June 24	October 28
March 25	July 22	*November 18
April 22	August 26	*December 16

\* indicates changes

<b>Approval 2020 Meeting Dates</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Jin CHO						X
Steve LOTT		X	X			
Stephen MARTINEZ						X
Todd CANNAO						X
Robert BUDINICH (alternate a)			X			
Gail ZACCARO (alternate b)	X		X			

**2. Discussion - Fences**

There was discussion regarding:

- The fences at 44 Rugen are up on a berm. You can't see over 5ft standing at ground level. There is over 10ft before the fence is on top of you.
- It is a stockade fence because he wants his privacy. There are probably about 500 homes that would like to do that too. One of Harrington Park's jobs is to maintain greenery. If you say "yes" to one person and "no" someone else it is difficult unless there is an extenuating circumstance or there is not an alternative. An example was mentioned.
- Hardship. Would people seeing them on the deck be a hardship? JS said that C1 variance is a hardship variance. C2 it would be a benefit and there is no substantial detriment to the neighborhood or public. There are 2 different criteria. Most people would come without an attorney wouldn't understand they are supposed to be providing facts support specific criteria.
- Most people want to put up the fences to prevent the deer.
- There was discussion on the location of the woodpile and the option of shrubbery

**ADJOURN**

Harrington Park  
ZONING BOARD OF ADJUSTMENT  
**REGULAR MEETING MINUTES**  
Wednesday, December 18, 2019 @ 8:00PM

Motion: JP                      Second: GZ  
In favor, all said “aye”.

Meeting adjourned at 8:20PM.

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
**Wednesday, January 22, 2019 at 7PM**